



TBW

PATENTS  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re application of: Martin McCREESH

Confirmation No.: 4347

Serial No.: 09/696177

Examiner: Backhean Tiv

Filed: October 26, 2000

Group Art Unit: 2151

For: MONITORING OF COMPUTER USAGE

**TRANSMITTAL LETTER**  
**REGARDING PRIOR ART**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

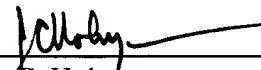
The above application has been allowed and counsel has now been informed that in the corresponding European application the following U.S. patents were cited, namely: 5675510, 5774718 and 5872976. It is believed by the Irish attorney that these references are no more pertinent than the references already applied by the Examiner. In an abundance of caution a copy of the European Search Report mailed October 18, 2005 is enclosed.

It is understood that this prior art will not be considered but it is placed in the file in an abundance of caution.

Respectfully submitted,

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Folio: P66032US0

Date: December 9, 2005

Enclosure: Copy European Search Report



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Date

18.10.05

Reference IONT01/C/EP	Application No./Patent No. 00650170.4 - 2211 PCT/
Applicant/Proprietor Iontas Limited	

### COMMUNICATION

The European Patent Office herewith transmits the partial European search report under Rule 46(1) EPC relating to the above-mentioned European patent application.

Copies of the documents cited in the search report are enclosed.

The applicant's attention is drawn to the following:

The Search Division informs the applicant that if the European search report is also to cover inventions other than the invention first mentioned in the claims, a further search fee must be paid for each of these inventions, within **one month** after notification of this communication.

If the application has been filed up to 30 June 1999, the search fee in force before 01 July 1999 (EUR 869,-) or the equivalent applicable on the date of payment is payable.

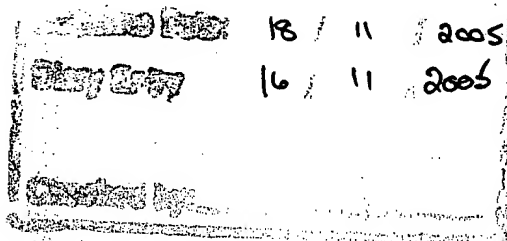
**This applies also to the search fees requested under Rule 46(1) EPC.**

See also OJ EPO 06/1999, 405.

- ☒ The abstract was modified by the Search Division and the definitive text is attached to the present communication.
- ☐ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

### Note to users of the automatic debiting procedure:

Unless the EPO receives prior instructions to the contrary, the search fee(s) will be debited on the last day of the period for payment. For further details see the Arrangements for the automatic debiting procedure, Supplement 2 to OJ EPO 01/2005.



ABSTRACT"Monitoring of computer usage"

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A utility operates on a networked PC and periodically executes a callback process to capture data to create discrete events. The callback process is periodically started, and it writes an event <sup>when</sup> either a frame period of 15 mins. has expired or the used  
10 application has changed, whichever is earlier. A protection program executes in parallel with a main program, both checking for a mutex of the other and re-starting the other if the mutex ceases to exist. Event data is automatically classified according to productivity classifications associated with applications.



European Patent  
Office

# PARTIAL EUROPEAN SEARCH REPORT

Application Number

under Rule 46, paragraph 1 of the European Patent Convention EP 00 65 0170

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
X Y A	US 5 774 718 A (AOSHIMA ET AL) 30 June 1998 (1998-06-30)  * column 2, line 10 - line 56 * * column 3, line 66 - column 4, line 36 * * column 5, line 4 - column 6, line 30 * * claims 1,2 * * figures 4,7,9,12 * -----	1,23  2,19 3-18,20, 21	G06F11/34
Y	US 5 872 976 A (YEE ET AL) 16 February 1999 (1999-02-16) * column 1, line 20 - line 36 * * column 2, line 17 - line 26 * * column 2, line 61 - column 3, line 12 * * column 3, line 47 - column 5, line 20 * * column 7, line 15 - line 34 * * figures 1,4 * ----- -/--	2,19	TECHNICAL FIELDS SEARCHED (Int.Cl.7)  G06F
<b>LACK OF UNITY OF INVENTION</b>			
<p>The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:</p> <p>see sheet B</p> <p>The present partial European search report has been drawn up for those parts of the European patent application which relate to the invention first mentioned in the claims.</p>			
Place of search <b>Munich</b>		Date of completion of the search <b>27 September 2005</b>	Examiner <b>Johansson, U</b>
<b>CATEGORY OF CITED DOCUMENTS</b> X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document  T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons ----- & : member of the same patent family, corresponding document			

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EPO FORM 1503 03 82 (P04C27)



DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	
A	US 5 675 510 A (COFFEY ET AL) 7 October 1997 (1997-10-07) * column 2, line 21 - column 3, line 5 * * column 3, line 54 - line 65 * * column 5, line 7 - column 5, line 51 * * column 6, line 14 - line 38 * * claims 1,7-11,17 * * figures 1,2 *  -----	1-21,23	
			TECHNICAL FIELDS SEARCHED (Int.Cl.7)



The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

1. claims: 1-21,23

Computer usage monitoring utility for operating as a background application transparently to the user to capture usage data indicative of the usage of the computer, comprising means for automatically determining a productivity classification for each used application identified in the usage data.

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2. claim: 22

Computer usage monitoring utility for operating as a background application transparently to the user to capture usage data indicative of the usage of the computer, comprising means for recording usage data in discrete events, in which there is an event at expiry of a periodic frame interval or when a used application changes, whichever is earlier, means for activating a callback process at periodic intervals to check for either of said conditions to exist and means for automatically determining a productivity classification for each event.

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**ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.**

EP 00 65 0170

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on  
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

27-09-2005

Patent document cited in search report		Publication date		Patent family member(s)	Publication date
US 5774718	A	30-06-1998	JP	3588485 B2	10-11-2004
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